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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,615	06/26/2003	Audra S. Wright	19,644	4914

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EXAMINER

PRETLOW, DEMETRIUS R

ART UNIT	PAPER NUMBER
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2863

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/606,615	Applicant(s) WRIGHT ET AL.	
	Examiner Demetrius R. Pretlow	Art Unit 2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8, 11-20 and 24 is/are rejected.
- 7) ☒ Claim(s) 5-7, 9, 10 and 21-23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments with respect to claims 1-5, 8-21 and 24 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8, 11-20, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Hamann (US 2004/0091557). In reference to claim 1, Hamann teach providing a testing apparatus having a glove mount and a device for measuring effort associated with donning of a glove; Note paragraph 207, lines 1-3 and Figure 24. Hamann teach mounting a glove for testing on the glove mount so the glove is open and donnable; Note paragraph 207, lines 16-17. Hamann teach initializing the test apparatus. Note paragraph 28, lines 1-7. Hamann teach acquiring data from the device relating to the effort associated with donning of the glove. Note paragraph 208, lines 4-7.

In reference to claim 2, Hamann teach mounting the glove on the glove mounting a predetermined orientation. Note paragraph 207, lines 13-18.

In reference to claim 3, Hamann teach mounting the glove on the glove mount such that a cuff portion of the glove is frictionally held upon a seat portion of the glove mount with a finger portion of the glove hanging vertically downward. Note Figure 24, and paragraph 207, lines 10-18.

In reference to claim 4, Hamann teach measuring with a load cell the forces acting upon the glove during donning. Note paragraph 207, lines 2-5.

In reference to claim 8, Hamann teach acquiring a series of data points during an individual glove donning event; and depicting the data in a usable format. Note paragraph 208, lines 4-7.

In reference to claim 11, Hamann teach providing a testing apparatus having a glove mount and a device for measuring effort associated with donning of a glove; Note paragraph 207, lines 1-3 and Figure 24. Hamann teach stretching a glove onto the glove mount so that the glove is presented to a test subject in an open and donnable arrangement; Note paragraph 207, lines 16-17. Hamann teach initializing the testing apparatus; Note paragraph 28, lines 1-7. Hamann teach donning the glove; Note paragraph 28, lines 1-2 and Hamann teach acquiring data from the device relating to the effort associated with donning of the glove. Note paragraph 208, lines 4-7. Hamann et al. does not explicitly teach preparing the test subject's hand for glove donning; However Hamann does teach using a surgical glove during medical or dental

examination. It is inherent that prior to any medical procedure that the person's hand must be washed thus suggesting preparing the hand. Note paragraph 140, lines 1-5.

In reference to claim 12, Hamann does not explicitly teach washing the hand for a predetermined amount of time; drying the hand for a predetermined amount of time; and donning the glove immediately after drying the hand. However Hamann does teach using a surgical glove during medical or dental examination. It is inherent that prior to any medical procedure that the person's hand must be washed thus suggesting washing the hand for a predetermined amount of time; drying the hand for a predetermined amount of time; and donning the glove immediately after drying the hand. Note paragraph 140, lines 1-5.

In reference to claim 13, Hamann does not explicitly teach the hand is washed with soap and water and subsequently rinsed with water for a predetermined amount of time. However Hamann does teach using a surgical glove during medical or dental examination. It is inherent that prior to any medical procedure that the person's hand must be washed thus suggesting washed with soap and water and subsequently rinsed with water for a predetermined amount of time. Note paragraph 140, lines 1-5.

In reference to claim 14, Hamann does not explicitly teach wherein the hand is washed and rinsed for substantially an equivalent amount of time. However Hamann does teach using a surgical glove during medical or dental examination. It is inherent that prior to any medical procedure that the person's hand must be washed thus suggesting wherein the hand is washed and rinsed for substantially an equivalent amount of time. Note paragraph 140, lines 1-5.

In reference to claim 15, Hamann does not explicitly teach wherein the hand is washed for about fifteen seconds. However Hamann does teach using a surgical glove during medical or dental examination. It is inherent that prior to any medical procedure that the person's hand must be washed thus suggesting the hand is washed for about fifteen seconds. Note paragraph 140, lines 1-5.

In reference to claim 16, Hamann does not explicitly teach wherein the hand is rinsed for about fifteen seconds. However Hamann does teach using a surgical glove during medical or dental examination. It is inherent that prior to any medical procedure that the person's hand must be washed thus suggesting wherein the hand is rinsed for about fifteen seconds. Note paragraph 140, lines 1-5.

In reference to claim 17, Hamann does not explicitly teach wherein drying the hand comprises removing visible moisture from the hand. However Hamann does teach using a surgical glove during medical or dental examination. It is inherent that prior to any medical procedure that the person's hand must be washed thus suggesting wherein drying the hand comprises removing visible moisture from the hand. Note paragraph 140, lines 1-5.

In reference to claim 18, Hamann teach mounting the glove on the glove mounting a predetermined orientation. Note paragraph 207, lines 13-18.

In reference to claim 19, Hamann teach mounting the glove on the glove mount such that a cuff portion of the glove is frictionally held upon a seat portion of the glove mount with a finger portion of the glove hanging vertically downward. Note Figure 24, and paragraph 207, lines 10-18.

In reference to claim 20, Hamann teach measuring with a load cell the forces acting upon the glove during donning. Note paragraph 207, lines 2-5.

In reference to claim 24, Hamann teach acquiring a series of data points during an individual glove donning event; and depicting the data in a usable format. Note paragraph 208, lines 4-7.

Claims 5,6,7,9,10,21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In reference to claims 5 and 21 the prior art of record does not teach the inclusion of the limitations of measuring the stretching undergone by the glove during donning. It is these limitations found in each of the claims, as they are **claimed in the combination**, that has not been found, taught or suggested by the prior art of record.

In reference to claims 6 and 22 is the prior art of record does not teach the inclusion of the limitations of an providing a linear variable differential transducer as a means for measuring glove stretch.. It is these limitations found in each of the claims, as they are **claimed in the combination**, that has not been found, taught or suggested by the prior art of record.

In reference to claims 7 and 23 the prior art of record does not teach the inclusion of the limitations of measuring the stretching undergone by the glove with a light curtain. It is these limitations found in each of the claims, as they are **claimed in the combination**, that has not been found, taught or suggested by the prior art of record.

In reference to claims 9 the prior art of record does not teach the inclusion of the limitations of tabulating the data. It is these limitations found in each of the claims, as they are **claimed in the combination**, that has not been found, taught or suggested by the prior art of record.

In reference to claim 10 the prior art of record does not teach the inclusion of the limitations of graphing the data. It is these limitations found in each of the claims, as they are **claimed in the combination**, that has not been found, taught or suggested by the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Demetrius R. Pretlow whose telephone number is (571) 272-2278. The examiner can normally be reached on Mon.-Fri. 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.



Art Unit: 2863

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Demetrius R. Pretlow

*Demetrius Pretlow* 11/8/05

Patent Examiner

*Michael Nghiem*  
MICHAEL NGHIEM  
PRIMARY EXAMINER